

MARGIE L. RICE
Mayor

KERMIT MARSH
Mayor Pro Tem

FRANK G. FRY
Council Member

ANDY QUACH
Council Member

TRI TA
Council Member



AGENDA

CITY COUNCIL/REDEVELOPMENT AGENCY REGULAR MEETING

AUGUST 8, 2007

6:00 – Council Conference Room

7:00 p.m. – Council Chambers

**8200 WESTMINSTER BOULEVARD
WESTMINSTER, CALIFORNIA 92683**

If you need special assistance to participate in this meeting, please contact the City Clerk's office at (714) 898-3311. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 American Disabilities Act Title II)

AGENDA INFORMATION

MEETINGS

Regular Meetings of the City Council/Redevelopment Agency are held the second and fourth Wednesday of each month at the hour of 6:00 p.m. (5:00 p.m. if deemed necessary) for Closed Session matters, if required. **The public session of the meeting shall commence at 7:00 p.m.** or as soon thereafter as possible.

While in the City Council Chamber, please *turn off* all cellular phones and pagers.

AGENDA INFORMATION

The agenda contains a brief general description of each item to be considered. Agendas are available at the entryway of the Council Chambers. Supporting documentation to each agenda item is available in the entryway for public review.

PUBLIC COMMENTS

Pursuant to Government Code Section 54954.3, members of the public may address the City Council/Redevelopment Agency/Public Financing Authority during each item on the agenda as called. Oral Communications is held after the Consent Calendar portion of the agenda and provides the public an opportunity to address any items of interest **not on the agenda** that are within the subject matter jurisdiction. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

To address the City Council/Redevelopment Agency on any matter, complete a "Request to Speak" form located at the entrance to the Council Chambers. Present the form to the City Clerk prior to being heard by the City Council. When speaking, please face the City Council and state your name and address for the record.

AGENDA ON THE INTERNET:

The Agenda is available at <http://www.ci.westminster.ca.us>. The agenda can be accessed on the internet on the Friday before the meeting on Wednesday.

TELEVISED MEETING SCHEDULE

Regular City Council/Agency meetings are broadcast live on Westminster Cable Channel 3 and REBROADCAST on Monday and Friday at 11:00 a.m.; Tuesday, Wednesday and Thursday at 7:00 p.m.; Wednesday at 12 noon; and Saturday and Sunday at 6:00 p.m.

PUBLIC USE OF COUNCIL CHAMBER EQUIPMENT

All computer presentations must be e-mailed or provided on a CD-ROM to the City Clerk at least 48 hours prior to the meeting. Items to be displayed on the overhead projector must be submitted to the City Clerk for review prior to use of the equipment.

AGENDA

August 8, 2007

6:00 P.M.
CLOSED SESSION

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY
DURING ANY ITEM TO BE CONSIDERED IN CLOSED SESSION.

CALL TO ORDER:

ROLL CALL

PRESENT:

ABSENT:

CLOSED SESSION:

The City Council/Redevelopment Agency will recess to a Closed Session for the following purposes:

- 1) Conference with Legal Counsel pursuant to Government Code Section 54956.9(a): Existing Litigation: Tenna Chon vs. City of Westminster; Case No. 06CC10580; and
- 2) Conference with Real Property Negotiator pursuant to Government Code Section 54956.8: Property: 13069-13095 Springdale Street; Agency Negotiator: Executive Director Ray Silver; Negotiating Party: Mellanie Ingle, Giant RV; Under Negotiation: Price and Terms of Payment.

RECESS:

AGENDA

August 8, 2007

7:00 P.M.

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY OR PUBLIC FINANCING AUTHORITY DURING EACH ITEM ON THE AGENDA AS CALLED.

The City Council/Redevelopment Agency of the City of Westminster will regularly convene in joint session for the purpose of considering the following City Council/Redevelopment Agency Agenda items. The Westminster Public Financing Authority is also an agency on which Council serves as members. This Agency may also have items scheduled.

RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING

ROLL CALL: RICE, MARSH, FRY, QUACH, TA

PRESENT:

ABSENT:

SALUTE TO FLAG: Council Member Quach

INVOCATION:

REPORT OUT OF CLOSED SESSION:

The City Attorney shall determine if any actions taken by the City Council/Redevelopment Agency in Closed Session shall require a reporting on those actions as required by law (Government Code 54957.1(a) (3) (B)).

SPECIAL PRESENTATIONS:

- A. Presentation of 50th Anniversary Proclamation to the City from Representatives from the offices of Senators Correa and Harman and Assembly Members Tran and Silva
- B. Presentation by Orange County Transportation Authority (OCTA) on the "Go Local" Program

REPORT FROM CITY CLERK ON LATE COMMUNICATION ITEMS

AGENDA

August 8, 2007

1. CONSENT CALENDAR

ALL MATTERS LISTED UNDER THE CONSENT CALENDAR ARE CONSIDERED ROUTINE AND WILL BE ENACTED BY ONE VOTE. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS MEMBERS OF THE CITY COUNCIL/REDEVELOPMENT AGENCY/PUBLIC FINANCING AUTHORITY, THE PUBLIC, OR STAFF REQUEST SPECIFIC ITEMS BE REMOVED FROM THE CONSENT CALENDAR FOR SEPARATE ACTION OR DISCUSSION.

COMPLETE THE ATTACHED GREEN FORM AND GIVE TO THE CITY CLERK PRIOR TO THE CONSENT CALENDAR PORTION OF THE AGENDA. WHEN YOUR NAME IS CALLED, PLEASE STEP TO THE PODIUM AT THAT TIME AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.

APPROVAL OF MINUTES

- 1.1 **(City Council/Redevelopment Agency) Minutes of the Regular Meetings of the City Council/Redevelopment Agency of June 27, 2007, July 11, 2007 and July 25, 2007.** (Marian Contreras)

RECOMMENDATION: Approve.

ROUTINE MATTERS

- 1.2 **Police Global Positioning Systems (GPS) and Automated Vehicle Locator (AVL) Services for FY 2007-2008.** (Andrew Hall)

RECOMMENDATION: Staff recommends that the Mayor and City Council award a contract to S & L Services, Inc. in an amount not to exceed \$36,000 for police GPS/AVL services for a period of one year, with an option to renew for two, one-year periods, and reject all other bids.

- 1.3 **Agreement for Purchase of Aerial Photography.** (James McAuliffe)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve an agreement with Digital Map Products in the amount of \$75,000 for the purchase of color Orthophotography of the City of Westminster, and authorize the City Manager to execute the agreement on behalf of the City.

- 1.4 **(Agency) Increase to Purchase Order for Legal Services for the Redevelopment Agency for Fiscal Year 2006-07.** (Don Anderson)

RECOMMENDATION: Staff recommends that the Chair and Agency Board authorize an increase to the purchase order with Best Best & Krieger in the amount of \$5,891.

AGENDA

August 8, 2007

1. CONSENT CALENDAR (Continued)

1.5 Amendment No. 1 to Sublicense Agreement No. 0207101 for GIS Services. (James McAuliffe)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve Amendment No. 1 to Sublicense Agreement No. 0207101 with Digital Map Products, Inc. in the amount of \$57,204.80 extending GIS Services to June 30, 2008, and authorize the City Manager to execute the amendment on behalf of the City.

1.6 Acceptance of Final Parcel Map No. 2006-178 (14072 Goldenwest Street). (Jeff Howell)

RECOMMENDATION: Staff recommends that the Mayor and City Council accept Final Parcel Map No. 2006-178 and authorize the City Clerk to sign and seal the map.

1.7 Agreement with the City of Garden Grove for the Installation of Stamped Concrete Crosswalks on Westminster Boulevard at Certain Locations. (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the subject agreement and authorize the City Manager to execute the agreement on behalf of the City.

1.8 Purchase of Seven Black and White Patrol Cars. (Jeff Howell)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order to Villa Ford in the amount of \$155,434.72 to purchase seven black and white patrol cars.

1.9 First Option Year Renewal for Procurement of Resilient Wedge Valves and Grip Rings for FY 2007/08. (Jeff Howell)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the first option year renewal of the contract with C. Wells Pipeline Materials Inc., in an amount not to exceed \$20,000.00

AGENDA

August 8, 2007

1. CONSENT CALENDAR (Continued)

ORDINANCES (SECOND READING)/RESOLUTIONS

- 1.10 Resolution No. 4101 – A Resolution of the Mayor and City Council of the City of Westminster Denying a Request to Modify an Existing Conditional Use Permit to Allow for the Sale of Distilled Spirits for Off-Site Consumption (Alcoholic Beverage Control Type 21 License) at an Existing Mini-Market (J & K Market), Located at 7701 Westminster Boulevard (Assessor's Parcel Number: 096-230-67) (Case No. 2007-01). (Art Bashmakian)**

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4101.

- 1.11 Resolution No. 4102 – A Resolution of the Mayor and City Council of the City of Westminster Determining Service Areas of Community Development Block Grant Funded Projects for the Fiscal Year 2007-08 Action Plan. (Kathy Johnston)**

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 4102.

ADMINISTRATIVE ITEMS

- 1.12 Special Event Permit application from Westminster Foursquare Church to hold their 9th Annual Classic Car Show on Saturday, September 15, 2007 between the hours of 6:00 a.m. and 2:00 p.m. (includes set up and clean up times). The actual event will take place from 9:00 a.m. until 1:00 p.m. at the Westminster Foursquare Church located at 8091 22nd Street, Westminster. Applicant estimates the attendance will be 1,000 people. (Greg Johnson)**

RECOMMENDATION: Staff recommends that the Mayor and City Council

- 1) Approve the request from Westminster Foursquare Church to waive the \$100.00 Special Event Permit fee; and
- 2) Approve the Special Event Permit application subject to the conditions attached to the staff report.

- 1.13 Fee Waiver Request from the Vietnamese American Pharmacy Student Association to conduct an Immunization Drive and Health Fair in the East/West Room and Craft Room of the Community Services Building on October 28, 2007 from 9:00 a.m. until 5:00 p.m. (Greg Johnson)**

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the fee waiver request as outlined in the fee waiver policy for use of City facilities by Community Groups/Non-Profit Organizations.

AGENDA

August 8, 2007

1. CONSENT CALENDAR (Continued)

WARRANT REGISTER

- 1.14 (City Council/Redevelopment Agency) Warrant Register dated July 4, 2007 through July 31, 2007.** (Paul Espinoza)

RECOMMENDATION: Approve.

INFORMATION AND REPORTS

- 1.15 Minutes of the Community Services & Recreation Commission meeting held on Monday, April 16, 2007.** (Greg Johnson)

RECOMMENDATION: Receive and file.

- 1.16 Minutes of the Cultural Arts Commission meeting held on April 5, 2007.** (Greg Johnson)

RECOMMENDATION: Receive and file.

- 1.17 Minutes of the Planning Commission meeting held June 20, 2007.** (Don Anderson)

RECOMMENDATION: Receive and file.

- 1.18 Treasurer's Report – June 2007** (Paul Espinoza)

RECOMMENDATION: Receive and file.

- 1.19 Community Development Monthly Development Report – June 2007.** (Don Anderson)

RECOMMENDATION: Receive and file.

- 1.20 Minutes of the Traffic Commission meeting held June 26, 2007.** (Jeff Howell)

RECOMMENDATION: Receive and file.

END OF CONSENT CALENDAR

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AGENDA

August 8, 2007

2. ORAL COMMUNICATIONS

THIS IS THE TIME OF THE MEETING THAT MEMBERS OF THE PUBLIC MAY ADDRESS THE CITY COUNCIL/REDEVELOPMENT AGENCY REGARDING ANY ITEMS OF INTEREST NOT ON THE AGENDA THAT ARE WITHIN THE SUBJECT MATTER JURISDICTION OF THE CITY COUNCIL/AGENCY BOARD. COMMENTS SHALL BE LIMITED TO THREE MINUTES PER SPEAKER. COMPLETE THE ATTACHED GREEN FORM AND GIVE IT TO THE CITY CLERK. WHEN YOUR NAME IS CALLED, PLEASE STEP TO THE PODIUM AT THAT TIME AND STATE YOUR NAME AND ADDRESS FOR THE RECORD.

3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW

3.1 The actions of the Planning Commission meeting held on August 1, 2007.

RECOMMENDATION: That the Mayor and City Council determine if they wish to call up the item for review from the Planning Commission meeting of August 1, 2007.

- 1) Case 2007-03, Conditional Use Permit to establish a billiard center (Saigon Billiard Center) at 9191 Bolsa Avenue.

4. PUBLIC HEARINGS - None

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

5.2 AB 1234 Reports

Report on Attendance at the League of California Cities Mayors and Council Members Executive Forum & Advanced Leadership Workshop, Monterey, California from July 25-27, 2007.

5.3 Consideration of sponsorship of the Viet Bao Daily News “Writing on America” and “Teen Writing” Contests (Council Member Quach)

AGENDA

August 8, 2007

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 Donation for Trails4All (Jeff Howell)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Approve a budget transfer of \$1,500.00 from the General Fund Contingency Account to Public Works Administration, Special Departmental Expense, Account; and
- 2) Authorize a \$1,500.00 donation to the Trails4All organization.

6.2 Rose Center Foundation Request to Restructure their Agreement to have the City manage and operate the Rose Center Theater. (Ray Silver)

RECOMMENDATION: That the Mayor and City Council direct the City Manager to execute the following course of action:

- 1) Approve a motion directing staff to take the necessary steps to have the City manage and oversee the Rose Center Facility and Operations for the Theater as well as the Conference/Catering Operation;
- 2) Direct staff and the City Attorney's office to prepare a Request for Proposals (RFP) to solicit applications for a business manager to manage and operate the Rose Center Facility for the Community Services and Recreation Department;
- 3) Reaffirm that the Rose Center Foundation will continue to operate independently to raise funds for programs that they wish to support;
- 4) Return to Council with a transition plan which includes the estimated cost to maintain facility operations through the end of the fiscal year (June 30, 2008). The transition plan shall be returned to the Mayor and City Council no later than 90 days from August 8, 2007; and
- 5) Recognize the efforts to date by those who have contributed to the opening and operation of the Rose Center Theater.

7. WRITTEN COMMUNICATIONS (Public) – None

8. LEGISLATIVE ITEMS –None

AGENDA

August 8, 2007

9. COMMISSION AND COMMITTEE ITEMS

9.1 Request for Parking Restrictions at 8361 Westminster Boulevard – T.C. 76-173 (Jeff Howell)

RECOMMENDATION: Staff recommends that the Mayor and City Council consider the following options at the subject location:

- 1) Traffic Commissioner Diep's motion to install an additional 10 feet of parking restrictions on both sides of the driveway; or
- 2) Staff's recommendation to install an additional 142 feet to the east and 45 feet to the west of parking restrictions at the driveway.

9.2 Study of Vehicular and Pedestrian Conditions at Newland Street and 15th Street – T.C. 96-100 (Jeff Howell)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the recommendation of the Traffic Commission to install right-in/right-out channelization on 15th Street at Newland Street, and relocate the crossing guard from Newland/Oasis to Newland/15th, after the Newland/Oasis traffic signal is constructed.

9.3 Planning Commission Resignation (Council Member Ta Appointee) (Marian Contreras)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Accept the resignation of Sergio Contreras from the Planning Commission effective July 19, 2007; and
- 2) Appoint a member to serve on the Planning Commission for a term to expire in November, 2008, if so desired.

9.4 Youth Committee Appointments (Marian Contreras)

RECOMMENDATION: Based upon applicant interviews conducted by Mayor Rice and Council Member Fry, it is recommended that the Mayor and City Council appoint four (4) regular members and four (4) alternate members (selecting in the order of 1st through 4th alternate) to serve on the City's Youth Committee, for terms to expire on June 30, 2008.

AGENDA

August 8, 2007

10. COUNCIL/AGENCY ADJOURNMENT:

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public, at least 72 hours in advance of the City Council/Redevelopment Agency meeting.

Marian Contreras

Marian Contreras, City Clerk/Agency Secretary